

U.S. ENVIRONMENTAL PROTECTION AGENCY
Approved For Release 2002/08/06 : CIA-RDP78-04722A000300010014-9
IMPORTATION OF MOTOR VEHICLES AND MOTOR VEHICLE ENGINES
SUBJECT TO FEDERAL AIR POLLUTION CONTROL REGULATIONS
(Read instructions on reverse side before completing form.)

| | | |
|---|---|--|
| PORT OF ENTRY | DATE OF ENTRY | ENTRY NO. (if applicable) |
| IMPORT VESSEL OR CARRIER | MAKE OF VEHICLE (or engine, if not chassis mounted or if mounted in heavy-duty vehicle) | MODEL OF VEHICLE (or engine, if not chassis mounted or if mounted in heavy-duty vehicle) |
| DOI Declassification/Release Instructions on File | | |
| MODEL YEAR OF VEHICLE (or engine, if not chassis mounted or if mounted in heavy-duty vehicle) | VEHICLE IDENTIFICATION NUMBER | ENGINE SERIAL NUMBER (if not chassis mounted or if mounted in heavy-duty vehicle) |

WITH REGARD TO THE IMPORTATION OF THE DESCRIBED MOTOR VEHICLE OR MOTOR VEHICLE ENGINE, I DECLARE THAT:

1. SUCH 1971 OR SUBSEQUENT MODEL YEAR MOTOR VEHICLE OR MOTOR VEHICLE ENGINE IS COVERED BY A CERTIFICATE OF CONFORMITY ISSUED BY THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE OR BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY, AND BEARS A CERTIFICATION LABEL OR TAG.
2. SUCH 1968, 1969 OR 1970 MODEL YEAR MOTOR VEHICLE OR MOTOR VEHICLE ENGINE IS COVERED BY A CERTIFICATE OF CONFORMITY ISSUED BY THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY.
- WITH REGARD TO THE IMPORTATION OF THE DESCRIBED MOTOR VEHICLE OR ENGINE, I DECLARE THAT SUCH VEHICLE OR ENGINE IS NOT COVERED BY A CERTIFICATE OF CONFORMITY ISSUED BY THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE OR THE U.S. ENVIRONMENTAL PROTECTION AGENCY, BUT IS ELIGIBLE FOR ADMISSION INTO THE UNITED STATES BECAUSE:
3. THE VEHICLE OR ENGINE IS BEING IMPORTED SOLELY FOR PURPOSES OF DISPLAY AND WILL NOT BE SOLD OR OPERATED ON THE PUBLIC HIGHWAYS.
4. THE IMPORTER OR CONSIGNEE IS A MEMBER OF THE ARMED FORCES OF A FOREIGN COUNTRY, OR MEMBER OF THE SECRETARIAT OF A PUBLIC INTERNATIONAL ORGANIZATION SO DESIGNATED PURSUANT TO 50 STAT. 669 (22 U.S.C. 288(b)) OR A MEMBER OF THE PERSONNEL OF A FOREIGN GOVERNMENT ON ASSIGNMENT IN THE UNITED STATES WHO COMES WITHIN THE CLASS OF PERSONS FOR WHOM FREE ENTRY OF VEHICLES HAS BEEN AUTHORIZED BY THE DEPARTMENT OF STATE AND THE VEHICLE OR ENGINE WILL NOT BE SOLD IN THE UNITED STATES.
5. THE IMPORTER OR CONSIGNEE IS A NON-RESIDENT OF THE UNITED STATES IMPORTING SUCH VEHICLE OR ENGINE FOR PERSONAL USE FOR NOT MORE THAN ONE YEAR FROM THE DATE OF ENTRY, AND THE VEHICLE OR ENGINE WILL NOT BE SOLD IN THE UNITED STATES.
6. THE VEHICLE OR ENGINE IS BEING IMPORTED FOR THE PURPOSE OF TESTING AND WILL NOT BE SOLD OR OPERATED ON THE PUBLIC HIGHWAYS WITHOUT THE PRIOR WRITTEN CONSENT OF THE ADMINISTRATOR OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY.
7. THE VEHICLE OR ENGINE IS INTENDED SOLELY FOR EXPORT.
8. THE VEHICLE OR ENGINE IS NOT SUBJECT TO THE REGULATIONS UNDER THE CLEAN AIR ACT BECAUSE IT IS A:
 - a. VEHICLE MANUFACTURED BEFORE THE 1968 MODEL YEAR.
 - b. NON-CHASSIS MOUNTED ENGINE TO BE USED IN A LIGHT-DUTY VEHICLE.
(NOTE: A light-duty vehicle is a vehicle designed primarily for transportation of property and rated at 6,000 pounds GVW or less or designed primarily for transportation of persons with a capacity of 12 persons or less.)
 - c. ENGINE MANUFACTURED BEFORE JANUARY 1, 1970 FOR USE IN A HEAVY-DUTY VEHICLE.
(NOTE: A heavy-duty vehicle is a vehicle designed primarily for transportation of property and rated at more than 6,000 pounds GVW or designed primarily for transportation of persons with a capacity of more than 12 persons.)
 - d. LIGHT-DUTY NON-GASOLINE FUELED VEHICLE. (e.g. diesel-fueled light-duty vehicle)
 - e. MOTORCYCLE.
 - f. RACING VEHICLE NOT TO BE OPERATED ON PUBLIC STREETS OR HIGHWAYS.
9. THE VEHICLE OR ENGINE IS ONE OF A CLASS OF VEHICLES OR ENGINES FOR WHICH AN APPLICATION FOR A CERTIFICATE OF CONFORMITY IS PENDING BEFORE THE ADMINISTRATOR OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY, AND IS BEING IMPORTED UNDER BOND.
10. THE VEHICLE OR ENGINE IS NOT IN CONFORMITY WITH APPLICABLE EMISSION STANDARDS, BUT WILL BE BROUGHT INTO CONFORMITY WITH SUCH STANDARDS, AND IS BEING IMPORTED UNDER BOND.
11. NEITHER THE IMPORTER NOR THE ULTIMATE CONSIGNEE POSSESSES SUFFICIENT INFORMATION TO MAKE ANY OF THE PRECEDING DECLARATIONS, BUT THE IMPORTER OR ULTIMATE CONSIGNEE WILL SEEK TO DETERMINE SUCH INFORMATION, AND THE VEHICLE OR ENGINE IS BEING IMPORTED UNDER BOND.

WARNING: Entry under provisions 9, 10, and 11 requires posting of bond at the time of entry equal to the value of the merchandise plus duty for delivery of a conformity statement no later than 90 days after entry to the District Director of Customs. Written notice that a vehicle or engine has been admitted under bond must be sent by the importer not later than 5 days after entry to the U.S. Environmental Protection Agency, Mobile Source Enforcement Division, 401 M Street, S.W., Washington, D.C. 20460. The information required in such notice is set forth in the instructions printed below on this form. A vehicle admitted under bond must be redelivered to port of entry unless certification is granted, or the Administrator makes a determination in writing that the vehicle has been modified to conform to applicable standards.

| | |
|---------------------------------|----------------------------------|
| NAME OF IMPORTER (Please print) | NAME OF CONSIGNEE (Please print) |
| ADDRESS OF IMPORTER | ADDRESS OF CONSIGNEE |

SIGNATURE OF IMPORTER OR CONSIGNEE

INSTRUCTIONS
Approved For Release 2002/08/06 : CIA-RDP78-04722A000300010014-9

This form must be filled out for all motor vehicles and motor vehicle engines which are imported into the United States. If there is more than one vehicle or engine in an entry, only one form needs to be filled out, provided the information on the make, model, model year and vehicle identification or engine serial numbers are provided for each vehicle or engine on an attached sheet.

SPECIAL INSTRUCTIONS FOR ITEMS 9, 10, and 11

Item

9 Admission Pending Certification. A vehicle or engine imported under a declaration that it is one of a class of vehicles or engines represented by test vehicles or engines for which an application for certification of conformity is pending before the U.S. Environmental Protection Agency may be conditionally admitted into the United States under bond, but will be denied final admission unless the importer or consignee follows these instructions:

1. The importer or consignee must submit to the Administrator within 5 days following conditional admission a written request that the vehicle be conditionally admitted pending certification. The written request must:
 - a. Identify the test vehicle or engine which represents the vehicle or engine offered for importation.
 - b. Identify the place where the vehicle or engine will be stored while the application for certification is pending before the Administrator. (See storage requirement below)
 - c. Acknowledge responsibility for custody of the vehicle while certification is pending.

The certificate of conformity must be issued by the U.S. Environmental Protection Agency before the vehicle or engine may be granted final admission.

Reference: 40 C.F.R. §85.202

10 Admission Pending Modification. A vehicle or engine imported under a declaration that it is not covered by a certificate of conformity, but that it will be brought into conformity with standards may be conditionally admitted into the United States under bond, but will be denied final admission unless the importer or consignee follows these instructions:

1. The importer or consignee must submit to the U.S. Environmental Protection Agency within 5 days following conditional admission a written request that he be permitted to modify the vehicle or engine so that it will be in conformity with applicable emission standards. The written request must:

- a. Specify the modifications necessary to bring the vehicle or engine into conformity with a test vehicle or engine for which a certificate of conformity has been granted. (NOTE: It is the importer's responsibility to determine from the dealer or manufacturer of the vehicle or engine to be imported what modifications are necessary.)

- b. Specify the date by which the necessary modifications will be made.

- c. Identify the place where the vehicle or engine will be stored until the U.S. Environmental Protection Agency determines that it has been brought into conformity with emission standards. (See storage requirements below.)

- d. Acknowledge responsibility for custody of the vehicle or engine while the modifications are being made and a determination of conformity is pending.

- e. Authorize representatives of the U.S. Environmental Protection Agency to inspect or test the vehicle or engine at any reasonable time in order to make a determination of conformity.

2. The importer or consignee must obtain the written determination of the U.S. Environmental Protection Agency that the vehicle or engine has been modified to conform to standards.

3. If the vehicle or engine cannot be modified to bring it within a class of vehicles or engines represented by a test vehicle or engine for which a certificate of conformity has been issued, the importer or consignee must undertake to demonstrate that the vehicle or engine is in conformity with emission standards by having the vehicle tested in accordance with the regulations of the U.S. Environmental Protection Agency. (NOTE: This option is not generally practical for admission of a single vehicle because the regulations usually require a durability test of 50,000 miles.)

Reference: 40 C.F.R. §85.203

11 Admission Pending Receipt of Information. A vehicle or engine imported under a declaration that the importer or consignee does not possess sufficient information to make a knowledgeable declaration may be conditionally admitted into the United States under bond, but will be denied final admission unless the importer or consignee follows these instructions:

1. The importer or consignee must submit to the U.S. Environmental Protection Agency a written request that the vehicle or engine be conditionally admitted pending receipt of information to determine whether the vehicle or engine is covered by a certificate of conformity, or what modifications, if any, are necessary to bring the vehicle into conformity with standards. The written request must:

- a. Identify the place where the vehicle or engine will be stored pending receipt of information. (See storage requirement below.)

- b. Acknowledge responsibility for custody of the vehicle or engine pending receipt of information.

2. The importer or consignee must redeclare the vehicle or engine under the item determined to be appropriate.

Reference: 40 C.F.R. §85.204

**STORAGE REQUIREMENT AND PROHIBITION OF OPERATION OR SALE OF VEHICLES CONDITIONALLY
ADMITTED UNDER ITEMS 9, 10, and 11**

A vehicle or engine conditionally admitted pending certification, modification, or receipt of information must be stored and may not be operated on the public highways or sold until the vehicle or engine is granted final admission and the bond is released.

A vehicle or engine conditionally admitted shall not be stored on the premises, or subject to access by or control of, any dealer. (NOTE: The importer or consignee may request that this prohibition be waived if modifications of a vehicle or engine to bring it into conformity must be performed by a dealer.)

Failure to comply with these instructions can subject the importer to a fine up to the amount of \$10,000 per vehicle or engine.

Reference: 40 C.F.R. §85.205, 85.206

Completed forms should be sent by the Bureau of Customs to: U.S. Environmental Protection Agency
Mobile Source Enforcement Division
401 M Street, S.W.,
Washington, D.C. 20460



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

This is in reply to your letter requesting information on the restrictions on importation of motor vehicles into the United States.

The Clean Air Act, as amended, requires that all motor vehicles and engines imported into the United States comply with whatever emission standards were applicable to the model year in which the vehicle or engine was manufactured, had it been manufactured for sale in the United States. Federal emission standards are applicable to all 1968 and later model year vehicles.

In general, vehicles which may be imported without difficulty are vehicles covered by a certificate of conformity with U. S. emission standards. A certificate is issued by this Agency to a manufacturer upon successful completion of extensive testing of prototypes, including a 50,000 mile durability test. Vehicles of the 1971 and subsequent model year which are covered by a certificate of conformity bear a certification label affixed in the engine compartment. The label bears the heading "Vehicle Emission Control Information" and the statement "This Vehicle Conforms to U.S.E.P.A. Regulations Applicable to (vehicle model year) Model Year New Motor Vehicles." Vehicles manufactured before the 1971 model year lack labels. In these cases, you must contact the vehicle manufacturer to determine whether your vehicle is covered by a certificate of conformity with U. S. emission standards.

If the vehicle is not covered by a certificate of conformity, it cannot be imported unless you undertake to modify the vehicle so that it is of substantially the same construction as a certified model. Bond equal to the value of the vehicle, plus duty, must be posted at the port of entry when the vehicle is declared. You must then determine from the foreign manufacturer what modifications are necessary to

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bring the vehicle into conformity, have the work performed, and obtain this Agency's written approval of the modifications before the bond may be released. If the modifications are not properly performed, you will be obliged to forfeit the bond or return the vehicle to Customs for export. Failure to export a nonconforming vehicle is subject to a \$10,000 fine per vehicle under the Clean Air Act.

Most modifications of nonconforming vehicles are difficult and expensive; some vehicles cannot be modified at any price because the foreign manufacturer has never obtained certification of any version of the particular model, and there is no similar certified vehicle to which the uncertified vehicle may be conformed. Modifications may amount to replacement of the entire engine or drive train. (See Items 7 through 10 in the enclosed Fact Sheet).

Because this Agency does not, of course, regulate vehicles not intended for sale in the United States, we cannot provide information on whether particular models can be modified to conform to standards. Our experience with cases of individuals who have attempted to import nonconforming vehicles indicates, however, that the cost of modifying vehicles according to a manufacturer's directions may cost from \$500 to \$5,000, depending upon the make and model year of the vehicle.

I am enclosing copies of a Fact Sheet which explains the restrictions on importation of motor vehicles in more detail and a declaration form which must be filled out for all motor vehicle entries. You may wish to contact the Department of Transportation about importing a motor vehicle, since imported vehicles are also required to comply with U. S. safety standards. Your inquiry should be directed to Mr. Robert W. Aubuchon, Code 41-22 CUS, U. S. Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, S. W., Washington, D. C. 20590.

Sincerely yours,



Leslie Carothers
Chief, Fuels and Imports Branch
Mobile Source Enforcement Division

Enclosures

ENVIRONMENTAL PROTECTION AGENCY
Mobile Source Enforcement Division

IMPORTED VEHICLES

Fact Sheet - September 1972

1. Introduction

Recent amendments to the Clean Air Act, the Federal law dealing with air pollution control, prohibit the importation into the United States (including Puerto Rico, the Virgin Islands, Guam, and American Samoa) of any motor vehicle not certified as meeting applicable emission standards. Violation of this Act subjects the importer to a fine of up to \$10,000 per vehicle. This fact sheet presents pertinent information dealing with the importation of motor vehicles.

2. Which vehicles are subject to Federal emission standards?

In general, Federal emission standards apply to all 1968 and later model year passenger cars, light trucks and 4-wheel drive vehicles. This includes 1968 model year vehicles manufactured during the latter part of 1967. Such vehicles are subject to crankcase and exhaust emission standards and, beginning with the 1971 model year, fuel evaporative emission standards. Vehicles with an engine that has a displacement of less than 50 cubic inches are subject only to the crankcase emission standard until the 1973 model year, when they are subject to the exhaust and fuel evaporative emission standards as well.

3. Which vehicles are not subject to Federal emission standards?

The following imported vehicles are not subject to Federal emission standards or are exempted from such standards:

- a. 1967 and earlier model year vehicles
- b. Passenger vehicles with diesel engines
- c. Motorcycles
- d. Racing vehicles which will never be operated on public streets or highways
- e. Display vehicles which will never be sold or operated on public streets or highways
- f. Vehicles imported for testing which will never be sold or operated on public streets or highways without specific approval from the Environmental Protection Agency.

- g. Vehicles imported by nonresidents of the United States for their personal use for a period not exceeding one year, and which will not be sold in the United States. Note: A recent Customs ruling permits U.S. citizens in transit through the United States from one foreign country to another to declare themselves nonresidents. Certain importation privileges afforded to returning U.S. residents are lost by such a declaration, however, so Customs personnel should be consulted before making a declaration as a nonresident.
- h. Vehicles imported by members of the armed forces of a foreign country on assignment in the United States, members of the Secretariat of public international organizations on assignment in the United States or members of the personnel of foreign governments on assignment in the United States, provided such vehicles are not sold in the United States.

4. What about used vehicles and those imported by U.S. citizens for their personal use?

All new and used vehicles outlined in paragraph 2 above, including those imported by U.S. citizens for their personal use, are subject to Federal emission standards unless indicated otherwise in paragraph 3. This applies regardless of when the vehicles were purchased.

5. Who is responsible for being sure that the imported vehicle complies with emission standards?

The owner of the vehicle is responsible. This is true even if the vehicle is imported for the owner by a Customs broker.

6. How can an individual be sure that the vehicle he purchases is in conformity?

All complying vehicles built after March 9, 1970 (that is, some 1970 and all 1971 and later model year vehicles) are required to have a label in a readily visible position in the engine compartment stating that the vehicle conforms to U.S. standards. The label will read "Vehicle Emission Control Information" and will include the full corporate name and trademark of the manufacturer. It is important to distinguish this label from the separate "Federal Motor Vehicle Safety Standards" label which may also be located on the vehicle. For earlier models, the importer must rely on the statement from his dealer that the vehicle conforms. However, some dealers in foreign countries have been known to give incorrect information, so you should verify the statement with the manufacturer to avoid having the vehicle refused entry into the United States.

7. Do foreign vehicle manufacturers have specific models intended for export to the United States?

There are three classes of vehicles which an individual can purchase in a foreign country. The first class consists of export models which have been certified by the manufacturer and which can be identified as such (see paragraph 6). There is no difficulty in importing these vehicles.

The second class consists of vehicles of the same model as certified vehicles but which are primarily intended for foreign consumption and, thus, do not have the appropriate control systems. It is possible, in some cases, to modify these vehicles to bring them into conformity. Modifications are usually expensive, however, so it is unwise to purchase an uncontrolled vehicle with the intention of modifying it.

The third class consists of vehicles of a different model from those certified by the manufacturer. It is not possible to import these vehicles unless the individual wishes to apply for certification himself. Such a procedure is not practical, however, since it entails up to 50,000 miles of extensive testing.

8. How can one determine whether it is possible to modify vehicles and, if so, what modifications are required?

This information is not available from Customs or the Environmental Protection Agency and should be obtained directly from the vehicle manufacturer or one of his authorized dealers. The modification could amount to a replacement of the entire engine, fuel system, and drive train.

9. Assuming modifications are possible, what procedure should be followed in importing a vehicle?

If the modifications are to be performed in a foreign country before importation the importer must submit a list to the Environmental Protection Agency (EPA), specifying the work which was done and the parts which were installed, along with applicable receipts. Written approval of the modifications must be obtained from the EPA before the vehicle can be imported. This approval should be submitted to U.S. Customs at the time of entry, along with the enclosed declaration form, and will serve in lieu of the required certification label.

If the modifications are to be performed after importation, the vehicle must be entered under bond, equal to its value plus duty. Statement 10 on the enclosed declaration form must be checked at the time of entry and the instructions listed on the reverse side must be followed. In order to obtain a release of the bond a written approval from the EPA will be required and will be issued only upon receipt of a list specifying the work done and parts installed, along with applicable receipts.

10. Who should perform the necessary modifications?

Modification work, whether done abroad or in the United States, can usually be performed only by authorized dealers of the vehicle manufacturer. However, many dealers have neither the expertise nor the necessary parts available, so the importer must be extremely careful in choosing a firm to do the work.

11. Do motor homes, campers, and trucks have to meet emission standards?

Yes. Motor homes, campers and trucks having a gross vehicle weight (GVW) rating of 6,000 pounds or less are classified as "light duty vehicles" and must meet all the standards mentioned in paragraph 2.

Vehicles having a GVW rating of greater than 6,000 pounds are classified as "heavy duty vehicles," and different standards are applicable. Such vehicles may not be imported into the United States unless they utilize engines certified as meeting emission standards. The standards are applicable to both gasoline and diesel fueled engines built after January 1, 1970.

12. What about motor vehicle safety requirements?

Vehicle safety requirements are under the jurisdiction of the Department of Transportation. Questions concerning safety standards should be sent to: Director, Office of Standards Enforcement, Motor Vehicle Programs, National Highway Traffic Safety Administration, U.S. Department of Transportation, Washington, D. C. 20590.

13. Where can further information be obtained?

If you have any further questions relating to importation of motor vehicles subject to Federal emission standards, please contact:

Environmental Protection Agency
Mobile Source Enforcement Division
401 M Street, S. W.
Washington, D. C. 20460